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Sustainability and Recycling E-Newsletter

November 2023



The Powers Denied Plastic

Over the years, there has been a lot of talk around the idea of banning or regulating the use of plastic bags. Many cities nationwide have taken steps towards instituting a fee on plastic bags or banning them all together. You may be asking yourself “why the City of Helena has not taken the same course of action in an effort to reduce the amount of waste that is created every year. ?”

The answer to this question is not as easy as you may think. Montana Code Annotated 7-1-111 (21) prohibits local government from “affecting, applying to, or regulating the use, disposition, sale, prohibitions, fees, charges, or taxes on auxiliary containers.” This means that the City of Helena is prohibited from “adopting or enforcing any local ordinance, resolution, initiative, or referendum that:”

- regulates the use, disposition, or sale of auxiliary containers;
- prohibits or restricts auxiliary containers; or
- imposes a fee, charge, or tax on auxiliary containers.

Auxiliary container is defined as a “bag, cup, bottle, can, device, eating or drinking utensil or tool, or other packaging, whether reusable or single use,” that is:

- made of cloth, paper, plastic, including foamed or expanded plastic, cardboard, corrugated material, aluminum, glass, post consumer recycled material, or similar material or substrates, including coated, laminated, or multilayer substrates; and
- designed for transporting, consuming, or protecting merchandise, food, or a beverage to or from, or at, a food service, manufacturing, distribution or processing facility, or retail facility.

So the next time you wonder why a local Montana government such as Helena, isn't taking specific actions, check out Montana Code Annotated 7-1-111 and see if they are prohibited from doing so first.

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Red Mountain Flume

25 miles south of Helena, nestled in the hills of the Lewis and Clark National Forest, lies the Red Mountain Flume. This 5-mile-long aqueduct system diverts runoff water from spring snowmelt to Chessman Reservoir, supplying the City of Helena with a large portion of its needed water.

Within this system is a series of small meandering creeks; Lynsay Creek, Sally Bell creek and Wilson Creek, all of which drain into the main creek of Banner. Water from Banner creek is then pooled, controlled, and diverted at Banner Creek headgate.

Water from Banner creek, then flows into Chessman Reservoir. This 114-acre man-made reservoir can hold up to 550,000 million gallons of water, and from April 1st to August 15th every year, this crucial water supply is stored. It is



then utilized during the colder winter months when the watershed freezes, and the City is left with a limited supply for treatment. Water from Cheesman Reservoir also can be used in the event of an emergency such as, severe drought, forest fires, or population growth.

Originally designed to supply water for placer mining in the various gulches of modern-day downtown Helena, the Chessman Reservoir was completed in 1864, and the Red Mountain Flume system was completed in 1866. On October 3, 1911, the City of Helena purchased the available water rights for \$400,000. Without Red Mountain Flume feeding water to Chessman Reservoir the City would be reliant on the Missouri River Treatment Plant which costs over 500% more money and energy to operate.

Currently, the City is in the middle of a large-scale Flume improvement project. Segments of the flume where water travels in ditches, are set to be replaced with culvert piping and wood coverings. The purpose of this is to reduce the amount of water lost to groundwater absorptions and evaporation. Currently, the amount of water that is lost is around 80%.

The picture below on the left, shows one section of the flume that is slated for improvements in the upcoming project, and the picture on the right, is the result of a previous improvement project.



A Face to the Fonts

Now that we are a couple issues into our new Sustainability and Recycling Newsletters, I thought it would be a good time to introduce myself!

Hello, my name is Miranda Griffis. I grew up on a small ranch in Northwest Wyoming, and attended college at Black Hills State University in South Dakota. After college I took a job with the State of Montana and in the last 5 years I have worked in various positions of program management, and outreach/education. In those 5 years I fell in love with Montana, and with that grew a great respect and understanding for conservation, and sustaining our environment for the next generation, which is what pushed me to pursue my current position.



In my free time, I try to spend as much time in the mountains as I can. I enjoy hiking, fishing, playing volleyball, and spending time with family and friends.

If there are specific topics you would like to see highlighted in this newsletter, please reach out! (that way I never have to talk about myself again 😊)

Cheers,
Miranda

